

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
Beaumont Division
THE HONORABLE JUDGE MICHAEL TRUNCALE

DATE: Monday, November 16, 2020
LOCATION: Beaumont – Courtroom 2
COURTROOM DEPUTY: Julia Colyer
COURT REPORTER: Ed Reed
INTERPRETER: None
CALLED: 10:10 AM
ADJOURNED: 12:14 PM
DURATION: 2 Hour 4 Minutes

CASE NUMBER: **9:20CV172 & 9:20CV175**
The State of Texas v. Learjet 31A & Cesna 560

ATTY: Tommy Coleman
For the Plaintiff
ATTY: Matt Bishop
For the Defendant Learjet
ATTY: Gary Evans
For the Defendant Cesna

MOTION HEARING

This day comes the parties by their attorneys and the following proceedings are held before the Honorable Judge Michael Truncale in Beaumont, Texas:

- 10:10 AM The Court calls the cases. The parties have no objection to proceeding jointly with both cases. Counsel Tommy Coleman announces his appearance for plaintiff State of Texas. Counsels Gary Evans and Matt Bishop announce their appearance for the defendants Cesna and Learjet. The Court will refer to 9:20cv175 as the "Learjet case" and 9:20cv172 as the "Cesna case."
- 10:15 AM Counsel Coleman withdraws his Motion to Remand in the Cesna case.
- 10:20 AM Counsel Coleman notifies the Court that he brought a witness, Milton Purvis to testify on behalf of the Plaintiff.
- 10:23 AM The Court addresses the parties regarding the Notices of Seizure in each case. Counsel Coleman responds.
- 10:41 AM Counsel Bishop addresses the Court.
- 10:44 AM Counsel Evans addresses the Court.
- 10:53 AM The Court addresses the parties regarding jurisdiction.
- 10:58 AM Counsel Coleman responds.
- 11:04 AM Counsel Evans responds.
- 11:09 AM Counsel Bishop responds.
- 11:14 AM Counsel Coleman addresses the Court.
- 11:20 AM The Court makes it clear on the record that this is a Lufkin Division case.
- 11:21 AM Counsel Evans addresses the Court.
- 11:24 AM After discussion with the parties, the Court determines no argument is necessary on the 12B1, 12B2, and 12B3 motions.
- 11:26 AM Counsel Bishop discusses the 12B6 motion.
- 11:31 AM Counsel Evans addresses the Court regarding the 12B6 motion.

11:46 AM Counsel Coleman responds.

11:55 AM The Court will allow the parties seven days to prepare additional motions regarding the 59.04B issue.

11:56 AM Counsel Bishop addresses the Court regarding the pending motion to Access the Aircraft (#13).

12:00 PM Counsel Coleman responds.

12:05 PM Counsel Bishop replies.

12:07 PM Milton Purvis addresses the Court.

12:09 PM The Court will grant the Protective Order and will grant a proposed agreed order allowing the defendant to inspect the planes for both Learjet and Cesna. The Court instructs the parties to submit the proposed order by the end of business tomorrow.

12:14 PM Court adjourns.